

Hearing Date: October 11, 2019 at 10:00 am (Prevailing Eastern Time)
This Document Relates to Adversary Proceeding Dkt. No. 2

GODFREY & KAHN, S.C.
One East Main Street, Suite 500
Madison, WI 53703
Katherine Stadler
Erin A. West (*pro hac vice* approved)
Brady C. Williamson (*pro hac vice* approved)
Telephone: (608) 284-2654
Facsimile: (608) 257-0609
E-mail: bwilliam@gklaw.com, kstadler@gklaw.com, ewest@gklaw.com

*Attorneys for the Arkansas
and Tennessee Municipalities*

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:
Purdue Pharma L.P., et al.,

Debtors.¹

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

Purdue Pharma L.P., et al.,

Plaintiffs,

v.

Adv. Pro. No. 19-08289 (RDD)

Commonwealth of Massachusetts, et al.,

Defendants.

**DECLARATION OF KATHERINE STADLER IN SUPPORT OF LIMITED
OBJECTION AND RESPONSE OF ARKANSAS AND TENNESSEE
PUBLIC OFFICIALS IN OPPOSITION TO DEBTORS'
MOTION FOR PRELIMINARY INJUNCTION**

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnic Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

I, Katherine Stadler, declare as follows:

1. I am an attorney duly admitted to practice in the State of New York and I am a partner in the law firm of Godfrey & Kahn, S.C., which represents the Tennessee and Arkansas Municipalities^{2,3} in the above-captioned action. I have personal knowledge of the matters stated herein. If called as a witness, I could, and would, competently testify to the matters stated herein. This declaration is submitted in support of the *Limited Objection and Response of Arkansas and Tennessee Public Officials in Opposition to Debtors' Motion for a Preliminary Injunction*.

2. Attached as **Exhibit 1** is a true and correct copy of the Second Amended Complaint in *Staubus, et al. v. Purdue Pharma L.P., et al.*, No. C-41916 (Tenn. Cir. Ct. Sullivan Cnty. Feb. 15, 2018).

² The “Tennessee Municipalities” are defined as the following Tennessee District Attorneys General for, collectively, 36 counties in Tennessee devastated by the opioid epidemic: Tennessee District Attorneys General Barry Staubus, Tony Clark, and Dan Armstrong are the District Attorney Plaintiffs in Case No. C-41916 pending against the Debtors—among other defendants—in the Circuit Court for Sullivan County at Kingsport, Tennessee (the “Staubus v. Purdue Action”); Tennessee District Attorneys General Jared Effler, Charme Allen, Dave Clark, Russell Johnson, Stephen Crump, and Jimmy Dunn are the District Attorney Plaintiffs in Case No. 16596 pending against the Debtors—among other defendants—in the Circuit Court for Campbell County at Jacksboro, Tennessee (the “Effler v. Purdue Action”); District Attorneys General Bryant C. Dunaway, Jennings H. Jones, Robert J. Carter, Brent A. Cooper, and Lisa S. Zavogiannis are the District Attorney Plaintiffs in Case No. CCI-2018-CV-6347 pending against the Debtors—among other defendants—in the Circuit Court for Cumberland County at Crossville, Tennessee (the “Dunaway v. Purdue Action” and, together with the Staubus v. Purdue Action and the Effler v. Purdue Action, the “Tennessee Actions” and, together with the Arkansas Action, the “State Court DDLA Actions”). The Tennessee actions appear at lines 292-294 of Exhibit A to the *Complaint for Injunctive Relief* [Adversary Dkt. No. 1] (the “Complaint”).

³ The “Arkansas Municipalities” are defined as the State of Arkansas, *ex rel.* Scott Ellington, the duly elected Second Judicial Circuit Prosecuting Attorney, and the following 72 Arkansas counties and 15 Arkansas cities, collectively plaintiffs in Case No. CV-2018-268 pending against the Debtors—among other defendants—in the Circuit Court of Crittenden County, Arkansas (the “Arkansas Action”): (i) 72 Arkansas counties of: Arkansas, Ashley, Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Chicot, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Crittenden, Cross, Dallas, Desha, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Independence, Izaard, Jackson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Madison, Marion, Miller, Mississippi, Monroe, Montgomery, Nevada, Newton, Ouachita, Perry, Phillips, Pike, Poinsett, Polk, Pope, Prairie, Randolph, St. Francis, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Union, Van Buren, Washington, White, Woodruff, and Yell; and (ii) 15 Arkansas cities of: Benton, Bentonville, Conway, Fort Smith, Hot Springs, Jacksonville, Jonesboro, Little Rock, Monticello, North Little Rock, Pine Bluff, Rogers, Sherwood, Springdale, and Texarkana. The Arkansas Action appears at line 66 of Exhibit A to the Complaint.

3. Attached as **Exhibit 2** is a true and correct copy of the Third Amended Complaint in *Effler, et al. v. Purdue Pharma L.P., et al.*, No. 16596 (Tenn. Cir. Ct. Campbell Cnty. June 13, 2018).

4. Attached as **Exhibit 3** is a true and correct copy of the Second Amended Complaint in *Dunaway, et al. v. Purdue Pharma L.P., et al.*, No. CCI-2018-CV-6347 (Tenn. Cir. Ct. Cumberland Cnty. Apr. 1, 2019).

5. Attached as **Exhibit 4** is a true and correct copy of the Second Amended Complaint in *Arkansas ex rel. Ellington, et al. v. Purdue Pharma L.P., et al.*, No. CV-2018-268 (Ark. Cir. Ct. Crittenden Cnty. Apr. 2, 2018).

6. Attached as **Exhibit 5** is a true and correct copy of the *Order Approving Stipulation Between the Debtors and the Non-MDL Municipal Plaintiffs Regarding a Stay of Litigation* filed in *Insys Therapeutics, Inc., et al. v. Arizona ex rel. Brnovich, et al. (In re Insys Therapeutics, Inc., et al.)* Adversary Proceeding No. 19-50261-KG [Adversary Dkt. No. 59] (Bankr. D. Del. Jul. 12, 2019).

7. Attached as **Exhibit 6** are true and correct copies of excerpts of the transcript from the Deposition of Jamie O'Connell, *Purdue Pharma L.P., et al. v. Commonwealth of Massachusetts, et al., (In re Purdue Pharma L.P., et al.)* Adversary Proceeding No. 19-08289 (Bankr. S.D.N.Y. Sept. 27, 2019). None of the attached excerpts has been designated as "Confidential" or "Highly Confidential." See Notice of Confidentiality Designations of Deposition Transcripts in Connection with the Preliminary Injunction Motion. [Adversary Dkt. No. 24].

8. Attached as **Exhibit 7** are true and correct copies of excerpts of the transcript from the Deposition of Jesse DelConte, *Purdue Pharma L.P., et al. v. Commonwealth of*

Massachusetts, et al., (In re Purdue Pharma L.P., et al.) Adversary Proceeding No. 19-08289 (Bankr. S.D.N.Y. Sept. 26, 2019). None of the attached excerpts has been designated as “Confidential” or “Highly Confidential.” *See Notice of Confidentiality Designations of Deposition Transcripts in Connection with the Preliminary Injunction Motion.* [Adversary Dkt. No. 24].

9. I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed in Madison, Wisconsin on October 4, 2019.

Dated: October 4, 2019.
Madison, Wisconsin

Respectfully submitted,

/s/ Katherine Stadler

Katherine Stadler
GODFREY & KAHN, S.C.
One East Main Street, Suite 500
P.O. Box 2719
Madison, WI 53701-2719
Telephone: (608) 284-2684
Facsimile: (608) 257-0609
E-mail: kstadler@gklaw.com

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